

Agenda Item: Zoning Motion 2022-754, UDO Text Amendment to the CrC zoning district to add "Independent living facilities" as a permitted use; to amend the minimum acreage standard and setbacks for independent living facilities; to amend the parking requirement for independent living facilities to 1 parking space per living unit; and to amend the maximum height for independent living facilities in the CrC district to be ~~53~~ 50 feet.

TO: Matthews Board of Commissioners
DATE: May 4, 2022
FROM: Robert Will, Senior Planner

Background/Issue

Mt. Moriah Baptist Church and Laurel Street Residential (the 'applicants') have requested a three-part text amendment as follows:

Part One – Amend table 155.505.3-2 to allow independent living facilities as a use allowed in the CrC district with 'permitted conditions' in the table of permitted uses; to amend section 155.506.16A, the minimum lot area of the independent living facilities from five acres to four acres; increase the maximum gross units per acre from 20 to 25; and reduce the minimum yard setbacks from those of CCRC's.

Part Two – Amend table 155.607.7 to reduce to the required off street parking ratio from 1.1 spaces to 1 space per independent living unit.

Part Three – Amend table 155.604.3 to allow the maximum height of an independent living facility in the CrC zoning district to be ~~53~~ 50 feet.

Comments Raised at the Public Hearing(s):

- It was requested that all parcels impacted in the CrC and CrC2 by the potential text change be identified.

In response to these comments staff, analyzed the CrC and CrC2 zoning districts and there is only one parcel (the subject parcel) that is four acres or greater that would support an independent living facility. It is possible that multiple parcels could be combined to meet the 4-acre threshold but any independent living facility is required to be reviewed and approved by the Town Board.

At their April 26th regular meeting, the Planning board recommended approval of the zoning motion 2022-754 to the Board of Commissioners with the amendment to reduce the height request from 53 to 50 feet.

Proposal/Solution

Included with this memo is the proposed text change language.

Board of Commissioners

APPROVED

May 9, 2022

Lori Canapinno

Lori Canapinno, Town Clerk

Recommended Motion/Action

Approve zoning motion 2022-754 UDO Text Amendment as submitted with the change from 53 feet to 50 feet.

DRAFT – FOR APPROVAL

STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES
Board of Commissioners Decision on Zoning-Related Issues

ZONING APPLICATION # _____
ZONING MOTION # _____ 2022-754 _____
ADMINISTRATIVE AMENDMENT _____

The Board of Commissioners adopts the checked statement below:

- A) _____ The requested zoning action, as most currently amended, is recommended for **approval**, and has been found to be **CONSISTENT** with the Matthews Land Use Plan (or other document(s)), as follows:

CONSISTENT: The text amendment is consistent with the land use plan because it will provide for another zoning district to permit senior independent living housing, which is encouraged as a way to diversify housing types.

REASONABLE: The text amendment is reasonable in that it provides for the opportunity for senior housing at greater density in the CrC zoning district but continues to place a minimum acreage cap on the project size.

OR

- B) _____ The requested zoning action, as most currently amended, is **not approved**, and has been found to be **INCONSISTENT** with the Matthews Land Use Plan (or other document(s)), as follows:

INCONSISTENT: The text amendment is inconsistent with the Land Use Plan in that the proposed height increase is potentially out of character with the surrounding community.

NOT REASONABLE: The text amendment is not reasonable as it will create additional traffic through the Crestdale community (the CrC zoning district).

(In each case, the Statement must explain why the Board deems the action reasonable and in the public interest (more than one sentence). Reasons given for a zoning request being "consistent" or "not consistent" are not subject to judicial review.)

Date: May 9, 2022

